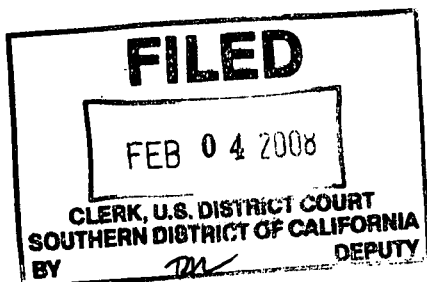


AJS



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Salvador HURRACHA-Ceja,

Defendant.

Mag. Case No.

'08 MJ 8101

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Attempted Entry After Deportation

The undersigned complainant being duly sworn states:

On or about February 1, 2008, within the Southern District of California, defendant Salvador HURRACHA-Ceja, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e. conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported or removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; or committed an overt act, to wit, crossing the border from Mexico into the United States, that was a substantial step towards committing the offense, all in violation of Title 8, United States Code, Section 1326.

The complainant states this complaint is based on the attached probable cause statement, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4th DAY OF FEBRUARY 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

I, Senior Border Patrol Agent Michael Mikuski declare under penalty of Perjury, the following is true and correct:

PROBABLE CAUSE STATEMENT

The complaint states that this complaint is based upon statements in the investigative reports by the apprehending agent, Border Patrol Agent J. Cisneros, that on February 1, 2008, the defendant, a native and citizen of Mexico, was apprehended in Calexico, California, as he attempted to enter the United States approximately 3.5 miles east of the Calexico, California west Port of Entry.

Agent Cisneros observed an individual, later identified as Salvador HURRACHA-Ceja, climb north over the international boundary fence with Mexico into the United States. Agent Cisneros approached HURRACHA and identified himself as a Border Patrol Agent. Agent Cisneros questioned HURRACHA and determined HURRACHA is a native and citizen of Mexico illegally in the United States. HURRACHA was arrested and transported to the Calexico Border Patrol Station for further processing.


During processing at the station, HURRACHA's fingerprints were entered into the IDENT/IAFIS system. Record checks revealed HURRACHA has been previously deported from the United States on August 17, 2000. Further record checks also revealed that HURRACHA has an extensive criminal and immigration record.

Agent J. Moreno witnessed Agent T. Huffaker read HURRACHA his rights per Miranda. HURRACHA admitted he has been deported from the United States. HURRACHA admitted he has never sought nor received permission to re-enter the United States from the United States Attorney General or his Designee, the Secretary of Homeland Security.

Executed on February 2, 2008 at 0930 AM.


Michael Mikuski
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find probable cause to believe the defendant named in this probable cause statement committed the offense on February 1, 2008 in violation of Title 8, United States Code 1326.


Ruben B. Brooks
United States Magistrate Judge

2/2/2008 at 11:55 a.m.
Date/Time